1 Thomas J. Nolan (CA SBN 48413)   Michael Brown (GA SBN 088875)
   Daniel B. Olmos (CA SBN 235319)   William Mitchelson (CA SBN 124066)
2 Jonathan Baum (CA SBN 303469)   ALSTON & BIRD LLP
   NOLAN BARTON BRADFORD & OLMOS LLP   One Atlantic Center
3 600 University Avenue   1201 West Peachtree Street
   Palo Alto, CA 94301   Atlanta, GA 30309
4 Tel. (650) 326-2980   Tel. (404) 881-7000
   Fax (650) 326-9704   Fax (404) 881-7777
5
                                                Yitai Hu (CA SBN 248085)
6   Lior Nuchi (CA SBN 131037)
                                                ALSTON & BIRD LLP
7   1950 University Avenue, 5th Floor
                                                East Palo Alto, CA 94303
8 Counsel for Defendant   Tel. (650) 838-2000
   Hao Zhang   Fax (650) 838-2001
9

10

11   **UNITED STATES DISTRICT COURT**

12   **NORTHERN DISTRICT OF CALIFORNIA**

13   **SAN JOSE DIVISION**

14

15 UNITED STATES, | Case No.: CR 15-00106 EJD

16   Plaintiff,

17   vs. | **JOINT STATUS CONFERENCE STATEMENT**

18 HAO ZHANG, ET AL.,

19   Defendants. | Date: September 14, 2015
                                         Time: 1:30 p.m.

20

21   The parties in the above-entitled action hereby submit this joint status conference statement

22 to assist the Court with respect to the September 14, 2015 status conference. At the initial

23
24 appearance before this Court on June 15, 2015, the Court ordered that this joint statement be filed by

25 September 8.

26   As the Court is likely aware, there have been a number of significant developments in the

27 case since the parties last appeared before the Court in June. After a detention hearing which

28 spanned several sessions, Magistrate Judge Cousins ordered Defendant Zhang released on July 8,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

2015, on a series of conditions including a $500,000 secured bond and GPS monitoring. However,

Defendant Zhang was thereafter taken into custody by the Department of Homeland Security and

sent to immigration detention in Yuba County, CA, where he remained for several weeks. On July

28, Magistrate Judge Cousins again ordered Defendant Zhang released on the previously-imposed

conditions, and issued an order which stated, *inter alia*, that if the government took Defendant Zhang

back into immigration custody "then this court will craft an appropriate remedy, which will likely be

a recommendation to dismiss the indictment." (*See* Docket No. 43.) Defendant Zhang was released

from custody the next day.

Since Defendant Zhang's release, the parties have agreed to an interim protective order (*see*

Docket Nos. 45, 46), and, on August 27, 2015, the government produced initial discovery to the

defense. The parties have also agreed, in light of Defendant Zhang's release and good standing with

Pretrial Services, to continue the previously-scheduled bail review hearing from September 9 to

October 21, 2015. The parties also stipulated, and the court ordered, that Defendant Zhang's GPS

monitoring condition be modified to permit him to leave his individual residential unit between 8:00

a.m. and 8:00 p.m. each day to use the facilities (laundry, gym, etc.) at his residential complex. (*See*

Docket No. 48.)

Due to the volume of discovery produced recently by the government and the defense team's

need to review that discovery and conduct additional investigation and preparation, the parties

anticipate that, at the at the September 14 status conference, they will jointly request that this Court

set a further status conference in approximately 90 days, and to exclude time pursuant to the Speedy

Trial Act for that time period.

1

2

3

Dated: September 8, 2015   NOLAN BARTON BRADFORD & OLMOS LLP

4

5   /S/

                                                          Daniel B. Olmos
6   Attorney for Defendant Hao Zhang

7

8   Dated: September 8, 2015

9

10   /S/

                                                          Matthew A. Parrella
11   Assistant United States Attorney

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28